

HISTORIC PRESERVATION COMMISSION

HEARING MINUTES

JANUARY 14, 2010

Commissioners

Michael Spencer, Chairman

Tim Daniel, Vice Chairman

Scott Winnette

Timothy Wesolek

Robert Jones

Joshua Russin

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Aldermanic Representative

Michael O'Conner

Staff

Emily Paulus, Historic Preservation Planner

Lisa Mroszczyk, Historic Preservation Planner

Scott Waxter, Assistant City Attorney

Shannon Albaugh, HPC Administrative Assistant

•I. Call to Order

Mr. Spencer called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Commission and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case.

All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

Announcements

Ms. Paulus brought the HPC Retreat that staff is planning to the Commission's attention and she announced that staff had scheduled it for Thursday, Feb 18th but neglected to realize that there is a Mayor and Board Hearing that evening. Since the Commission has a new aldermanic liaison and staff would like for Alderman O'Conner to be there, staff wanted to see the Commission's thoughts on rescheduling it for another evening that week. The Commission discussed the possibilities and decided to reschedule the Retreat to Tuesday, Feb. 16th from 6 to 8:45 PM at the C. Burr Artz Library.

II. Approval of Minutes

1. December 21, 2009 Hearing / Workshop Minutes

Motion: Timothy Wesolek moved to approve the December 21, 2009 Hearing minutes and December 21, 2009 Workshop minutes as written.

Second: Scott Winnette

Vote: 6 - 0

- **II. HPC Business**

2. Discussion of Historic Preservation Outreach 2009-2010 Report

Mr. Mroszczyk announced that staff gave the Commission at the last meeting and staff wanted to get any additional input from the Commission as far as comments, suggestions or additional ideas for possible changes. She added that any changes the Commission suggests will be put in the report and then given to the Mayor and Board.

Mr. Spencer thought the report was done very well.

Mr. Russin asked if additional comments could be submitted at a later date. Ms. Mroszczyk answered yes.

IV. Consent Items

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There were no consent agenda items.

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•V. Cases to be Heard

**3. HPC09-312
Shapiro**

310 Chapel Alley

Kenneth

Install solar panels

Emily Paulus

Presentation

Ms. Paulus entered the entire staff report into the record and stated that the applicant is seeking approval to install 5 solar panels on the roof of an early 20th century former industrial building. The panels would be oriented horizontally on the rooftop and measure 10' by 4'. They would sit at a roughly 45 degree angle. The panels are AE-Series "Flat Panel" Solar Thermal Collectors from Alternative Energy Technologies, LLC.

Discussion

Mr. Shapiro, the applicant, stated that he did not have anything to add or say except that they request approval.

Public Comment - There was no public comment.

Staff Recommendations

Staff recommends that the Commission approve the installation of five AE-Series "Flat Panel" Solar Thermal Collectors from Alternative Energy Technologies, LLC, oriented horizontally on the rooftop and with all dark-colored framing, for the following reasons:

- Their installation would not require the removal of original roofing;
- The industrial nature of the building is more suited to the type of installation;
- The flat roof and parapet wall aids in obscuring their visibility from a public way;
- The building's location on a short alley provides fewer opportunities for long sightlines and thus results in less of an impact on the streetscape.
- The application, as revised, is consistent with Standards 2 and 9 of the *Secretary of the Interior's Standards for Rehabilitation*. That is, they are minimally visible and do not alter the historic character of the building.

Materials to be approved include:

- Roof plan, titled "310 Chapel Alley - Solar Panels Aerial View"
- Photomontage showing solar panels with horizontal orientation
- Catalogue cut sheet - AE-Series "Flat Panel" Solar Thermal Collectors from Alternative Energy Technologies, LLC

Motion: Tim Daniel moved to approve the installation of solar panels on the roof of the building for the reasons just elaborated by staff and the materials to be approved include roof plan entitled 310 Chapel Alley Solar Panels Aerial View, photomontage showing solar panels with horizontal orientation and catalogue cut sheets - AE-Series "Flat Panel" Solar Thermal Collectors from Alternative Energy Technologies, LLC.

Second: Joshua Russin

Vote: 6 - 0

4. HPC09-469

434 N. Market Street

Mike Bauder

Remove basement windows and infill with brick
Miller, agent

Charles

Emily Paulus

Presentation

Ms. Paulus entered the entire staff report into the record and stated that the applicant is proposing the following work on the basement windows of a contributing brick residential building:

- Repair of the basement windows at Openings A and B; and
- Removal of the existing basement windows at Openings C, E, and F and their replacement with new, shorter fixed wood windows. The brick sills would be raised a minimum of 4" and the jack arches would remain.
- Removal of the existing brick infill at Opening D and its replacement with new brick, to be recessed 1"; and
- Removal of the existing basement window at Opening G and its infill with brick, to be recessed 1".

Discussion

Charles Miller, with Caddworks Inc. representing the applicant, stated that he believed everyone is familiar with the project and it was discussed a great deal at a workshop so he wanted to hear Commission's opinion on how well they hit the mark this time.

Mr. Daniel stated that regarding the sills he thought having a row lock sill would be more appropriate. Mr. Miller stated that the height would be there so incorporating that would be no problem.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends that the Commission take the following actions:

- Approval of the repair of the basement windows at Openings A and B; and
- Approval of the removal of the existing basement windows at Openings C, E, and F and their replacement with new, shorter fixed wood custom Jeld-Wen or equalivant windows. The brick sills would be raised a minimum of 4" and the brick sills are to be row lock.
- Approval of the removal of the existing brick infill at Opening D and its replacement with new brick, to be recessed 1"; and
- Approval of the removal of the existing basement window at Opening G and its infill with brick, to be recessed 1".

Materials to be approved:

- Drawings W1.1 and W2.1, dated December 28, 2009.

Motion: **Scott Winnette moved to approve this application incorporating by reference the staff recommendation as amended.**

Second: **Joshua Russin**

Vote: **6 - 0**

5. HPC09-483
Rajaski

15-17 E. Patrick Street

Jeff

Pave rear yard with asphalt

Lisa Mroszczyk

Discussion

Jeff Rajaski, the applicant, stated that he has been walking around downtown looking at other spaces and some alternatives to an all asphalt parking lot and he saw a couple driveways into garages where they had brick pavers with grass growing in between, which is a suitable alternative to him. He added that he wants to pave the rear yard so they have off the street parking. Mr. Rajaski added that their plan will be in coordination with the County and the City in order to get the flow pattern through the alley.

Alderman O'Conner asked how many parking spaces the spot would hold. Mr. Rajaski answered four.

Mr. Winnette asked if there was a time crunch since there is potential to have the case go to workshop that evening. Mr. Rajaski answered no. Mr. Winnette then asked if the applicant would like to have the case go to workshop and Mr. Rajaski answered yes.

Public Comment - There was no public comment.

Motion: Scott Winnette moved to continue this application to the next scheduled hearing and also call for a workshop that evening following the hearing with the applicant's consent.

Second: Timothy Wesolek

Vote: 6 - 0

6. HPC09-497
agent

18 W. Patrick Street

Jason Mitchell,

Install night deposit in storefront

Lisa Mroszczyk

Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns the installation of a Diebold Securomatic night depository measuring approximately 24" by 26" in the storefront glass of a 1930s Art Deco commercial building. The existing ATM will be relocated and the existing glass and signage will be replaced in-kind to accommodate the new openings. The night depository will be installed in a similar manner as the ATM approved by the Commission on March 13, 2008 (HPC08-11).

Discussion

Jason Mitchell, the agent, stated that the proposed location of the night depository would not conceal the window anymore than it already is. He added that in response to locating the depository in the recess for the entrance is not possible because the night depository will be available for 24 hour use so by relocating it into the recess you have a chance that someone could get hit in the back while using the night depository. Mr. Mitchell went on to say that as far as the proposed installation it would take the same minimal approach as the ATM did and in their opinion it as the most minimal appearance on the block.

Mr. Winnette asked if the business plans had changed since the night depository and ATM were not both in the original plans. Mr. Mitchell answered that they did pursue the ATM and night depository at the same time previously and the night depository was dropped because that was the piece of equipment that was least needed.

Mr. Winnette asked if there were any designs for an ATM combined with a night depository so less space would be taken up. Mr. Mitchell answered there were none that he was aware of.

Mr. Wesolek asked if the night depository could be moved to the other window so there would be some balance. The president of Blue Ridge Bank answered that there is a small conference room on that side of the building and the equipment needed for the depository would take up too much space in that conference room.

Ms. Mroszczyk asked if one of the storefront doors were fixed. M.r Mitchell answered that the samller side is fixed. Ms. Mroszczyk then suggested changing which door is fixed and you then would not have the problem of the door having the potential of hitting people while using the depository.

Mr. Spencer asked if the applicant would entertain modifications or if they would like the application to stay as it stands. The applicant answered that they would like the application to be voted on that evening.

Mr. Daniel stated that he thinks one the most problematic issues is the concentration of machines on one side of the building, which is very symetrical. He added that in the original approval the location of the ATM was something incorporated into that bay and while there was some compromise on allowing that machine the Commission acknowledges that this is the 21st century and they need to function as a bank but at the same time it was intigrated into the symmetry of the building and he thought it would be appropriate to located the depository on the opposite side of the building with the ATM. Mr. Winnette added that he agreed with Mr. Daniel and would urge the applicant to look for other options.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends denial of the application as submitted because the proposed location of the night depository is not as unobtrusive as possible.

Motion: Scott Winnette moved to deny the application as submitted because according to the new Guidelines night depositories that are not installed as new construction must be installed where they do not damage or conceal character defining architectural elements, the size of night depositories should correspond with the size of historic night depositories and this particular applications night depository does not.

Second: Tim Daniel

Vote: 4 - 2, Timothy Wesolek and Joshua Russin opposed

7. HPC07-421

433 N. Market Street

Richard Hudson

Repair front windows
agent

Jody Rood,

Emily Paulus

Ms. Paulus annonuced that the applicant asked for a continuance until the next scheduled meeting for this particular application.

Motion: Michael Spencer moved to continue 433 N. Market Street, HPC07-421, to the next scheduled hearing.

Second: Tim Daniel

Vote: 6 - 0

8. HPC09-499
agent

47 E. Patrick Street

Jody Rood,

Install iron arch over existing iron gate

Lisa Mroszczyk

Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns the addition of a black metal decorative arch over an existing black metal gate along the front property line that leads to a late 20th century building at the rear of the lot.

Discussion

Jody Rood, the agent, stated that after reading the staff recommendation she did take off the design over and under but would like the Commission to consider leaving the above and removing the under to help balance out the scroll work.

Mr. Daniel asked if the applicant would be willing to remove the vertical in the top portion that they would like to keep since there is nothing below it to reference it. Ms. Rood yes they can have that removed.

Mr. Winnette asked how it was going to be attached to the gate. Colleen Remsburg, the owner of the property, answered that the original gate was put there when she built the building in the back and the posts the gate is supported by have a cap so they will remove the cap and place little bars in the posts for the gate.

Public Comment - There was no public comment.

Staff Recommendation

Staff recommends approval of the application according to the documents stamped "Received Dec 18 2009" with the condition that the decorative elements at the top and underside of the arch be removed from the design.

Motion: Tim Daniel moved to approve the addition of the metal arch over the existing gate per the drawings that were attached with the application and the proposal dated 10/12/2009 from Olde Town Historic Landscape Inc. with the condition that the decorative element at the bottom of the arch be removed and that the vertical portion of the upper decorative element be removed.

Second: Timothy Wesolek

Vote: 6 - 0

The meeting was adjourned at 7:30 PM.

Respectfully Submitted,

Shannon Albaugh

Administrative Assistant